



UNITED STATES PATENT AND TRADEMARK OFFICE

50
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,005	09/28/2003	Denny Jaeger	NBOR-009	2386

7590 07/25/2005
Wilson & Ham
PMB: 348
2530 Berryessa Road
San Jose, CA 95132

EXAMINER	
SINGH, RACHNA	
ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/674,005

Applicant(s)

JAEGER, DENNY

Examiner

Rachna Singh

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Application filed 9/28/03.
2. Claims 1-6 are pending. Claims 1, 3, and 5 are independent claims.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-2 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are so broad they fail to define a practical application of the single method step. The claims can reflect a series of mental/manual steps., i.e. manually activating a grid and drawing/displaying a grid on a display surface. The claimed invention does not require the technical or useful arts and, thus, fails to define patentable subject matter.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Lynn et al., US 2003/0229856 A1, 12/11/03 (PCT filed 2/12/01, provisional application filed on 2/12/00).

In reference to claims 1 and 5, Lynn discloses a text grid creation tool. See title and abstract. Compare to **a method for creating and using a grid**. Lynn discloses the following features:

- Determining a frame grid region by user input selecting a grid tool displayed on the display with a pointing device and dragging a cursor a specified length on a page and the boundary line of the frame grid. See page 1, paragraph [0008]. Compare **activating a grid feature to create said grid**.
- The frame grid region is displayed on the display screen. The user can change the frame grid region by dragging the control point a specified length and releasing the selection state using the pointing device, after which the boundary line for the grid is coordinated with the plurality of cells so that the boundary line does not intersect any cell. See page 1, paragraph [0008]. The creation of the grid provides reference lines when arranging text or objects such as graphics at a specified location on each page of the document. The user can arrange the desired object at the desired location. The grid has vertical reference lines and horizontal reference lines displayed on the screen of the display device. The user arranges the desired object while referring to the reference lines. When arranging an object on the layout grid, the user can also create a frame on the grid to include characters or graphics. See page 3, paragraph [0033]. Compare to **displaying said grid as a graphic object at a location on a display surface in response to user input, said grid including a first plurality of parallel lines along a first direction and at least one line along a second direction to**

intersect one of said parallel lines, said grid being of a size defined by said user input, said location of said grid being further defined by said user input.

In reference to claim 3, Lynn discloses a text grid creation tool. See title and abstract. Compare to ***a graphical user interface for creating and using a grid.*** Lynn discloses the following features:

-Determining a frame grid region by user input selecting a grid tool displayed on the display with a pointing device and dragging a cursor a specified length on a page and the boundary line of the frame grid. See page 1, paragraph [0008]. Compare ***a surface on which graphic objects can be displayed***

-The frame grid region is displayed on the display screen. The user can change the frame grid region by dragging the control point a specified length and releasing the selection state using the pointing device, after which the boundary line for the grid is coordinated with the plurality of cells so that the boundary line does not intersect any cell. See page 1, paragraph [0008]. The creation of the grid provides reference lines when arranging text or objects such as graphics at a specified location on each page of the document. The user can arrange the desired object at the desired location. The grid has vertical reference lines and horizontal reference lines displayed on the screen of the display device. The user arranges the desired object while referring to the reference lines. When arranging an object on the layout grid, the user can also create a frame on the grid to include characters or graphics. See page 3, paragraph [0033]. Compare to ***a grid of a user-defined size displayed on said surface at a user-***

defined location, said grid being a graphic object that can be moved on said surface in response to user input.

In reference to claims 2, 4, and 6, Lynn teaches receiving user inputs to define margin values for the new electronic document if the user selects the second creation mode. Lynn further teaches creating a layout grid on each page in the document. See figure 5.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Aureglia et al. US 2004/0143788 A1

Suzuki US 6,687,875 B1

Conner et al. US 6,779,152 B1

Otani et al. US 6,865,720 B1

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 2176

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RS

07/20/05

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
7/20/2005